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803

EX LIBRIS
CHARLES J. M. EATON
1807 – 1893
TO THE
PEABODY INSTITUTE
OF
BALTIMORE

Library

A

CATALOGUE

OF THE

BOOKS, &c.

BELONGING TO THE

LIBRARY COMPANY OF BALTIMORE;

TO WHICH ARE PREFIXED,

THE ACT

FOR

THE INCORPORATION OF THE COMPANY,

THEIR

Constitution, their By-Laws,

AND AN

ALPHABETICAL LIST

OF THE

MEMBERS.

"Happy are they, whose amusement is knowledge, and whose supreme delight, the cultivation of the mind! Wherever they shall be driven by the persecution of fortune, the means of enjoyment are still with them; and that weary listlessness, which renders life insupportable to the voluptuous and the lazy, is unknown to those, who can employ themselves in reading."

TELEMACHUS. BOOK II.

BALTIMORE: PRINTED BY EDES AND LEAKIN.

1809.

THE NEW YORK
PUBLIC LIBRARY
ASTOR, LENOX AND
TILDEN FOUNDATIONS.
1906

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AN ACT

TO INCORPORATE THE

MEMBERS OF THE

Library-company of Baltimore.

WHEREAS the establishment of public libraries, under judicious regulations, cannot fail to promote the diffusion of useful knowledge, and the interests of virtue, and to grow greatly beneficial to society, and whereas this General Assembly is desirous to aid and encourage every undertaking, tending to produce these effects, and whereas sundry persons in the city of Baltimore and its vicinity, have formed themselves into a company, and established a library therein, therefore,

Be it enacted by the General Assembly of Maryland, That the aforesaid persons, and such other persons, as they may hereafter admit into their company, agreeably to such rules and by-laws, as they may establish, for the beneficial and orderly management of their institution, shall be, and they, and their successors and assigns, are hereby declared to be one community, corporation, and body politic, for ever hereafter, by the name and style of THE LIBRARY-COMPANY OF BALTIMORE; and by that name, they shall be, and are hereby made, able and capable in law to have, purchase, receive, possess, enjoy, and retain, to them and their successors, lands, tenements, rents, annuities, pensions, and other hereditaments, in fee simple, or for a term of years, life, lives, or otherwise; and also goods, chattels, and effects, of what nature, kind, or quality soever; and the same to grant, demise, alien, or dispose of, and, by the name aforesaid, to do and execute all other things touching the same; provided, that the clear yearly value of the real estate of said corporation, exclusive of any house, which they may hereafter possess, for the keeping of the books, maps, and other

effects of the company, exceed not the sum of one thousand dollars.

And be it enacted, That the said company, and their successors, by the aforesaid name, shall be, forever hereafter, able and capable in law to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in any courts of record, or any other place whatsoever; and also to make, have, and use a common seal, and the same to break, alter, and renew at pleasure; and also to assemble and meet, at such times and places, as they may agree upon, and publicly notify; and by a majority of the voices of those attending, to ordain, establish, and put in execution such by-laws, ordinances, and regulations, as to them shall seem necessary and convenient, for the government of the company; the same not being contrary to the laws of this state, or of the United States; and generally to do and execute all such acts, matters, and things, as to them shall or may appertain to do.

And be it enacted, That until there shall be, under this act, an election of officers, necessary to the ends of the institution, those now acting, or who may be hereafter appointed to act, under any existing regulations of the company, shall continue so to do, according to the provisions heretofore made; and such regulations shall, till lawfully altered, be deemed as valid and obligatory, as if made since the passing of this act.

(TRUE COPY)

WM. HARWOOD, *Clerk.*

CONSTITUTION

OF THE

LIBRARY-COMPANY OF BALTIMORE.

ARTICLE I.

THERE shall be no definite number of shares; but every person may be entitled to a share, who shall be regularly admitted a member of the Company. The price of a share shall be *Thirty five Dollars*; and every member shall annually contribute *Four Dollars*, for every share, which he may lawfully possess; with such exception, as is hereinafter specified.

ARTICLE II.

The books and other effects of the Company, shall be their joint property; and every member shall be at liberty to transfer his share by sale, bequest, or gift, or in any other way, in which other property may be alienated: But in every case of transfer, except by will or descent, the person, in whose favour it is intended to be made, shall be first approved of by a Board of Directors; and all transfers shall be made, according to some mode, prescribed by the Directors.

ARTICLE III.

The Directors may admit any person to hold a plurality of shares in the Library, which shall entitle him to a proportionate use of the books, but not to more than one vote, or any other extraordinary privilege.

ARTICLE IV.

There shall be a stated meeting of the Company, on the fourth Monday in April, in every year; at which time, the members present shall proceed to elect, from among the Com-

pany, twelve Directors. The Directors shall choose, out of their own body, a *President:* and shall also appoint, either from among themselves, or the Company, a *Secretary* and *Treasurer*: And the President and Secretary of the Directors shall be President and Secretary, at all general meetings of the Company. These shall continue in office, for one year, or until the next election. The place of election shall be determined by the Directors for the time being, and publicly advertised, for twenty days at least, before the election; which shall be made by ballot: And those having a majority of votes, shall be deemed duly elected.

ARTICLE V.

It shall be the duty of the *President*, at all general meetings of the Company, to keep order, and to do all other things, generally appertaining to the office of a President. The *Secretary* shall collect the ballots at elections, shall keep in a book, provided for the purpose, a fair transcript of the proceedings of the Company, and shall, from time to time, give public notice of all stated and special meetings of the Company; which special meetings shall be called by the President, whenever the Board of Directors, or twenty members of the Company, shall signify their desire, to this effect. The *Treasurer* shall keep the accounts of the Company, in books proper for the purpose: He shall keep their monies, subject to the order of the Directors; and shall be ready, whenever called upon, with a warning of ten days, to give a regular statement of his accounts to the Directors. He shall be removable, at the pleasure of the Directors; and shall, on entrance upon office, and as often as the Directors may require, give such security, for the faithful discharge of his duties, as they may deem adequate. The *Board of Directors* shall meet once a month, and shall have the choice and direction of a *Librarian*, and of all other officers, not chosen by the Company, who may be necessary to the ends of this institution; whom they may supersede, as often as they think proper. They shall have the disposal of all monies belonging to the company, shall provide a proper depository for the books, and shall make all such regulations, as may be necessary to the useful and economical circulation of the books. They shall elect new members, shall settle the accounts of the Company's Treasurer, shall fix all salaries and compensations, which may be created or made, and order the

payment of all incidental expenses of the Company. They shall chuse the books, to be bought for the use of the Library; but every member shall be at liberty to recommend to them any book, by putting into a box to be kept, for the purpose, in the Library, the title, with his name subscribed. They shall, at every stated meeting, report to the Company a state of their affairs; and they are hereby invested with the power of doing all things, not excepted in this constitution, or which may not hereafter be prohibited by the Company, which may be conducive to their interest.—Whenever they have to dispose of any of the monies of the Company, or to admit new members, eight at least shall be present; of whom three fourths must concur to carry the question: but for all other purposes, five shall be a quorum, and a majority of their voices give validity to their acts. The members of the Company may have recourse to their journals; as also to the Treasurer's accounts, and all other papers and books belonging to the Company; of which, with the consent of the Directors, they may take copies.

ARTICLE VI.

In case of a vacancy in the office of President, Secretary, or Treasurer, or in the Board of Directors, the same shall be filled by the board, at some meeting, specially held for the purpose. And vacancies in these offices shall be deemed to be created, by death, resignation, absence from the United States, or confirmed inability to attend to their respective duties. The Directors may also, if they shall deem it expedient, declare the offices of President, Secretary, Treasurer, and Director, to be vacant, in consequence of their continued absence from the state, for three months, or their habitual inattention to their respective duties.

ARTICLE VII.

All persons, hereafter admitted members of this Company, whether as transferrees, or purchasers of new shares, shall be nominated to the Board of Directors; and if they shall be approved of by the Board, as directed in the fifth article of this constitution, they shall then be deemed duly elected.—No person, not a transferree, shall be considered a member of this Company, until he shall have paid to the Treasurer the price of his share. He shall then receive a certificate

signed by him, containing his name, the sum paid by him, the use for which it was paid, and the time of payment; all which particulars shall be recorded in the Company's books: And this certificate shall entitle the possessor to the privileges of a member of the Company.—The price of a share shall be increased, at such times, and in such proportion, as to the Company may seem fit; but this augmentation shall not be deemed to affect those, who were members, at the time of its being made.

ARTICLE VIII.

The Librarian shall give security, for the faithful discharge of the duties of his office, in such sum, as the Directors may determine.

ARTICLE IX.

The Dircctors shall prevent the lending out of the Library, even to members, of particularly scarce books, or other effects of great value, the loss of which it would be difficult to repair: but every reasonable convenience and facility shall be provided, for allowing the use of, or transcripts from them, within the Library.

ARTICLE X.

A member may be expelled for any misconduct disgraceful to the institution, and likely to impair its utility: but the meeting for this purpose, shall consist of at least three-fifths of the Company; a majority of whose votes shall be conclusive. In case of the expulsion of a member, he shall be paid the price of his or her share or shares, according to the price stablished in this constitution.

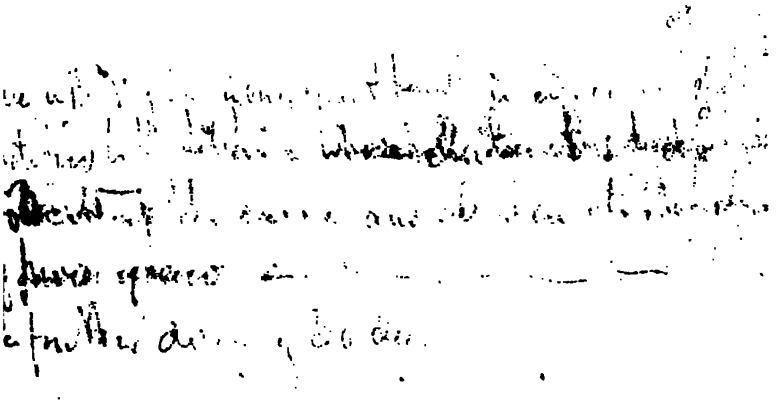
ARTICLE XI.

Every person, who shall neglect to make the annual payment, which shall be on the fourth Monday in April, in every year, or within ten days thereafter, shall pay, for the use of the Library, one cent for every day, he shall neglect said payment. And whenever his fines and deficient contributions, amount to the value of a share, such share shall be forfeited: in like manner, if he possess a plurality of shares. But it shall be in the power of the Directors, to remit to persons, becoming members after the fourth Monday in April, in any year, in those cases, in which they may think it equi-

table, such part of the annual contribution, for that year, as they may think reasonable. Provided, that this shall not be construed to affect persons, who may become possessed of the shares of members, elected before the aforesaid Monday in April.

ARTICLE XII.

Whenever an alteration of this constitution shall be contemplated, a meeting of the Company shall be called, by the Directors, who shall give ten days public notice of the time and place of such meeting: and the members attending, in consequence of such notice, shall proceed to act upon any alterations, which may be proposed. If they shall be assented to by a majority of the members attending, they shall be published for consideration; and another meeting of the Company shall be called, of which ten days publick notice shall be given; and if a majority of the members attending the second meeting, confirm the alterations before assented to, they shall then be deemed a part of this constitution.



BY-LAWS

OF THE

LIBRARY COMPANY OF BALTIMORE,

REGULATING THE USE OF THE LIBRARY,

AND ASCERTAINING THE

LIBRARIAN'S DUTY.

1. THE Librarian shall attend, at the Library, every day in the week, Sunday excepted, from ten o'clock, A. M. to two o'clock, P. M. in order to deliver and receive the books of the Company. But Christmas-day, Good-Friday, Easter-Monday, Whitsun-Monday, and the 4th day of July, shall be considered as holidays. When the Library shall be open, he shall deliver to any person, who may apply, one folio for six weeks; or one quarto for five weeks; or one octavo, or two duodecimos, or four pamphlets, for two weeks. And he shall not deliver to a member any greater number, except on hire, or in the following cases, viz. A member desiring it, may be accommodated with two octavos, or four duodecimos, for four weeks, provided they belong respectively to the same set; and a member, at the time of his having a folio, quarto, or octavo, may take an additional octavo, or two duodecimos, or four pamphlets, for two weeks, provided the subjects treated in the latter, be of a different class from those treated in the former. This, however, shall not be construed into a permission to blend together the periods, for which such books are taken; but a folio shall not be kept longer than six weeks; a quarto, five; an octavo, two; and a duodecimo, or two pamphlets, one; and so in proportion. In the case of a member hiring, he shall pay at the same rate with those who are not members; and if he take, at any time, a book or books, double the value of which, or of the set or sets, to which it or they may belong, may exceed the price of a share, then the Librarian shall require him to deposite a note for the surplus, payable to the Treasurer.

Persons living one mile, and less than five miles from town, may keep their books two days, exclusive of Sunday, longer than those living nearer to, or in Baltimore; those living five miles, and less than twenty, from town, may keep theirs one third of time longer, than those in the city; those living twenty, and less than fifty, miles from town, may keep theirs one half longer; and persons at the distance of fifty miles and upwards, may have their books twice as long, as residents of Baltimore. Members living on the Eastern shore of Maryland, may, from December 10th till March 20th, take double the number of books allowed to other members, and keep them during that period.

2. Persons, not members, accommodated with the books of the Library, shall deposite, as a security, double the value of the books, which they may hire, or of the sets, to which they may belong. But if the aforesaid value shall exceed, in any case, forty dollars, the Librarian may, in his discretion, receive from the hirer a note, payaple to the Treasurer, for the surplus, instead of requiring a deposite. Every such person shall pay, for the use of any book, which he may hire, four cents per day. A hirer may be permitted to take, at one time, more than the books allowed in the first rule, provided he can assign to the Librarian sufficient reason for the indulgence.

3. The Librarian shall not deliver the books of the Library, either to members or hirers, except in person, without written orders, signed by such members or hirers. And in those cases, in which they may not have given him a general order to deliver books, on their accounts, to any person or persons, they shall be required to send a special order, signed with their names, whenever they may send for books. And such general orders shall be filed by the Librarian, till duly revoked; and such special orders, till the books, for which they were given, shall have been returned. Members and hirers shall be responsible for all books, delivered on their written orders.

4. Every person, whether a member or a hirer, who shall neglect to return, at the specified time, any book, which he may have received, shall forfeit, for a pamphlet, one cent; for a duodecimo, three cents; and for an octavo, quarto, or folio, six cents, for each day of his neglect, until the book be returned, or until the fines shall amount to the value of the share of a member, or the deposite of a hirer. But should

such person declare himself unable to restore the book, the fines shall cease, upon his paying to the company double the value of the book, or of the set, to which it may belong, in addition to the fines, which he has incurred: and it shall be the duty of the Librarian to give notice to any person, who may detain a book two months, beyond the time allowed him, that he is incurring penalties for the detention.

5. When a book is delivered, and when it is returned, the Librarian shall examine it, in the presence of the party receiving it; and every returned book, as soon as it has been examined, shall be immediately restored to its proper place. If any book shall be found to have been damaged, while in the possession of any person, the Librarian shall demand such satisfaction, as he may think equal to the injury done; and if the person shall think himself aggrieved by his decision, he may appeal to the Directors. He shall not be allowed to take any other book, till he shall have made satisfaction; nor shall a person owing hire or fines, receive any book, till the same shall have been discharged. If a member refuse to pay any forfeiture, incurred by him, he shall not be allowed the privilege of taking out books; nor shall a transfer of his share be made, till he shall have complied: and when the penalties shall amount to the price of a share, if they be not paid within one month thereafter, the share shall be forfeited. Every hirer of books refusing to pay any forfeiture, which he may have incurred, and persisting in the refusal one month, shall lose his deposite money; and if, in any instance, he has given a note, he shall be denied the use of the Library, till such note shall have been paid.

6. A member may be accommodated with the books of the Library, without giving his note, as directed in the first of these by-laws, provided he will sign the following obligation, viz.

"I do hereby promise to the Library-company of Balti-
"more, to return any book, which I may take out of their
"Library, in the same order, in which I may have received
"it, and at the time, specified by the regulations of the Li-
"brary; binding myself, in case of injury done to the book,
"while in my possession, to make compensation for it, ac-
"cording to the provisions of their fourth by-law; and in case
"of its not being returned by me, in due time, to pay the
"fines for such neglect, as fixed in their third by-law. And
"in case I should lose any book, or so injure it, as to destroy

"the utility of it, or of the set, to which it may belong, I "promise to pay to the Company double the value of every "book, which I may so injure or lose, or of the set, to which "it may belong, or to supply the Library with a copy of the "said book, or set of books, of the same edition, and in simi- "lar binding; and to pay besides the fines inflicted by the "said third by-law, for the time, which I shall suffer to "elapse, till I shall have made restitution."

7. The same regulations shall prevail, with respect to any maps, belonging to the Library, which may be let out.

8. If a member, and one not a member, shall apply for the same book, at the same time, the preference shall be given to a member. If two or more members, or two or more hirers, should apply in like manner, the preference shall be given by lot. If any person returning a book, shall find, that there has been no registered application for it, while in his possession, and that none is made on the day, on which he returns it, he may take it again, for the time, allowed in the first law.

9 The Librarian shall label the books, &c. belonging to the Library; and whenever any label shall be torn off, or defaced, he shall affix another. He shall keep a book alphabetically divided, in which he shall open an account for every person, who may receive books from the Library; which account shall contain the names and sizes of the books delivered, the time of delivery, and the time of return; and whenever a member shall take any books on hire, the Librarian shall make a minute thereof. He shall make out, and continue, a classical catalogue, alphabetically digested, of the books, &c. belonging to the Library; and he shall register such applications, as may be made for books, which have been let out of the Library, and the names of any persons, who may desire to become members of the Company. He shall keep an account of all money received by him, for hire, fines, and forfeitures, and on every other account; which money he shall pay into the hands of the Treasurer, on the day before every monthly meeting of the Directors. On the same day, he shall make out a statement of the money, which he may have actually received, within the preceding month, for hire of books, fines, and forfeitures, or on any other account; a statement of what may still be due; and a list of the names of those, who may have refused to pay any just debt, which they owe to the Company; which

names shall also be inserted in a book, to be kept for the purpose. He shall also make a list of the names of candidates for membership, and of those, who have, within the preceding month, presented books to the Library; and he shall deliver the aforesaid statements and lists to the Secretary, to be laid before the Directors, at their next meeting.

10. It shall be lawful for the Librarian to remit the fines for the non-payment of the annual contribution in due time, to persons absent from the state, during the term of their absence; also to insolvent debtors: But no books shall be delivered, on account of any such persons, while the said contribution may remain unpaid.

11. Those books, prohibited to be let out of the Library in common, may be taken out, with the approbation of any one of the Directors; except those valuable works, of which there are duplicates of inferiour value; and those forbidden, in the 9th article of the Constitution, to be lent even to members.

12. The Librarian may admit to the use of the Library, persons, who are not members, under the same restrictions and regulations, enacted with respect to members; and as long as the Directors shall not otherwise order; provided every such person pay before-hand, for such use, the sum of seven dollars per annum, or four dollars half-yearly; two dollars, fifty cents per quarter, or one dollar per month: Provided also, that this be not so construed, as to render null any privileges, accorded to members of the Company; or to do away the necessity of requiring from the hirer, either a deposite or a note, or such an obligation, as is directed to be taken in certain cases, from members.

13. If a person leave with the Librarian a written application for a book, which may have been delivered to another, and do not apply for said book, within two library-days, after it shall have been returned, it may then be delivered to the next applicant.

MISCELLANEOUS BY-LAWS

OF THE

LIBRARY-COMPANY.

1. THE Directors shall meet, on the first Wednesday in every month, at such place, as they may have adjourned to. They shall also hold special meetings, whenever they may be thought necessary by the President.

2. In all elections of new members of the Company, the Directors shall use black and white balls; of which the white shall be accounted votes in the affirmative, and the black, votes in the negative. All other elections by the Directors shall be made by ballot.

3. The Treasurer shall give to the members of the Company, when they shall have paid their subscriptions, the following certificate:

Baltimore,

I hereby certify, that hath been regularly elected a member of the Library-company of Baltimore, and hath this day paid into my hands the sum of dollars, it being the price of his share in the stock of the said Company.

Treasurer.

4. The Treasurer shall furnish the Librarian with a correct alphabetical list of those, who, having paid the price of a share, are entitled to the privileges of a member of the Company; and shall, from time to time, furnish him with the names of all new members, they having previously paid the price of their shares. Every Librarian, upon quitting his office, shall deliver such list to the Secretary, for the use of his successor; together with such books, as the occasions of the Library may have required him to keep. Every Librarian, before he shall enter upon the duties of his office, shall give

security, in such sum, as the Directors shall require, for the faithful discharge of his duty; and when he shall quit his office, he shall faithfully surrender the books and other effects of the Company, to the Directors, or the person or persons, whom they may appoint to receive them.

5. All transfers shall be inserted in a book, kept in the Library, for that purpose: And the following form shall be observed, viz.

"Maryland, ss.

"I do hereby assign and set over my right and interest to "and in my share in the Library Company of Baltimore, to "N. N. his heirs and assigns, for a valuable consideration to "me in hand paid: As witness my hand and seal, this day of

"A. B." (L. S.)

6. No person shall be admitted as a transferree, who may have been previously elected an original member, with his own consent; except he shall have paid the price of his share.

7. On every transfer of a share, the transferree shall pay two dollars to the Librarian, for the use of the Company.

LIST OF
THE MEMBERS
OF THE
Library-company of Baltimore.

AIKEN George
Alcock William J.
Alexander Dr. Ashton
Alexander Henry (2 shares)
Allender Dr. Joseph
Allison Rev. Dr. (heirs of)
Arcambal Lewis
Armat Christopher
Atterbury Lewis
Bacon Ann
Barney William B.
Barney Mary
Beattie James
Beeston Rev. Francis
Bend Rev. J. G. J. D. D.
Bend William B.
Bennet Matthew
Bentalou Paul
Bernabeu Don Juan Baptist
Biays James
Birckhead Dr. Solomon
Bland Theodorick
Borland John
Bowly Daniel (heirs of)
Boyd James P.
Brice Henry
Brice John
Brice Nicholas
Broom James M.
Brown Alexander
Brown Charles
Brown Dixon
Brown Dr. George
Brown John
Brown Samuel
Brown Stewart
Brune Frederick W.
Buchanan Edward
Buchanan James A.
Burk John
Byrnes Samuel
Caldwell James
Caldwell John
Calhoun James
Campbell James
Carey James
Carrere John
Carroll Charles of Carrollton
Carroll Charles jun.
Carroll Henry (heirs of)
Carroll James
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